

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED

UNITED STATES DISTRICT COURT

for the
Western District of Virginia

APR 04 2017

JULIA C. DUDLEY, CLERK
BY: *H. McDonald*
DEPUTY CLERK

CEDRICK E. DRAPER,
Plaintiff

v.

MUY PIZZA HUT SOUTHEAST LLC,
Defendant

Civil Action No. 4:17-cv-00018

ORDER TO PROCEED WITHOUT PREPAYING FEES OR COSTS

IT IS ORDERED: The plaintiff's application under 28 U.S.C. § 1915 to proceed without prepaying fees or costs is:

☐ Granted:

☐ The Clerk is ordered to file the complaint. Plaintiff is represented by counsel and has not requested that the Court order that service of the summons and complaint be made by the United States Marshal. Accordingly, counsel for plaintiff is directed to effect service of process upon defendant(s).

☐ The Clerk is ordered to file the complaint and issue a summons. The United States Marshal is ordered to serve the summons with a copy of the complaint and this order on the defendant(s). The United States will advance the costs of service.

☒ Denied:

☒ This application is denied for these reasons: Pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), the complaint fails to state a claim on which relief may be granted.

☒ If the filing fee is not paid within 14 days, the case will be dismissed.

Date:

4-4-17

Jackson L. Kiser
Hon. Jackson L. Kiser, Senior United States District Judge